

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Yi T. Dong and Ru H. Zhao,

Plaintiffs,

-against-

Mei Zhen Liu and Lan Zhen Liu,

07 CV 9741 (LAP)
ECF Case

Defendants.

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DECLARATION OF KENNETH KIMERLING
IN SUPPORT OF AN APPLICATION FOR A DEFAULT JUDGMENT

Kenneth Kimerling, hereby declares:

1. I am counsel for plaintiffs and submit this declaration in support of plaintiffs' application for a default judgment. A copy of the Clerk's Certificate Noting Default is attached. (The original Certificate is attached to the Court's Courtesy Copy).
2. Pursuant to Court's Order endorsed and filed on February 20, 2008, this matter has been consolidated with Dong v. CCW Fashion Inc., 06 CV 9741 (SDNY). Additionally pursuant to that order, plaintiffs have been permitted to rely on the papers previously submitted in support of default judgment in the 06 CV 9741.
3. The only difference in the application for a default judgment in 06 CV 9741 and the instant motion is that plaintiffs seek a judgment against two additional defendants Mei Zhen Liu and Lan Zhen Liu. Both were plaintiffs' employers. See 07 CV 9741 Complaint at paragraph 7.
4. The damages that plaintiffs seek are \$22,961 for plaintiff Zhao and \$79,663.91 for plaintiff Dong.
5. In addition, plaintiffs seek the filing fee of \$350.

6. I have spent only a few hours on this matter and waive my entitlement to attorney's fees as to these two defendants.

WHEREFORE, Plaintiffs seek a default judgment of \$102,624.91 in damages and \$350 in costs against defendants Mei Zhen Liu and Lan Zhen Liu.

I HEREBY DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING STATEMENTS ARE TRUE AND CORRECT

Dated: February 20, 2008

_____/s/_____
Kenneth Kimerling